

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	Case No. 1:17-cr-26
)	
v.)	District Judge Curtis L. Collier
)	
JAMES BRYAN MILLER)	Magistrate Judge Christopher H. Steger

ORDER

United States Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 44) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Counts One and Two of the two-count Indictment; (2) accept Defendant's guilty plea to Counts One and Two of the two-count Indictment; (3) adjudicate Defendant guilty of the charge of assaulting, resisting, opposing, impeding, intimidating and interfering with an officer or employee of the United States by using a deadly and dangerous weapon, while such officer was engaged in, and on account of, the performance of official duties, in violation of Title 18 United States Code § 111(a) and (b), as well as the charge of possession of a firearm and ammunition by a convicted felon in violation of Title 18 United States Code § 922(g)(1); and (4) order that Defendant remain in custody until further order of this Court or sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 44) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Counts One and Two of the two-count Indictment is **GRANTED**;

2. Defendant's plea of guilty to Counts One and Two of the two-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of assaulting, resisting, opposing, impeding, intimidating and interfering with an officer or employee of the United States by using a deadly and dangerous weapon, while such officer was engaged in, and on account of, the performance of official duties, in violation of Title 18 United States Code § 111(a) and (b);
4. Defendant is hereby **ADJUDGED** guilty of possession of a firearm and ammunition by a convicted felon in violation of Title 18 United States Code § 922(g)(1);
5. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
6. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on June 27, 2018, at 2:00 p.m. before the undersigned.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE